

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

***In Re: Exactech Polyethylene
Orthopedic Products Liability Litigation***

Civil Action No: 1:22-md-3044-NGG-MMH

MDL No.: 3044

Judge Nicholas G. Garaufis

This Document Relates To:

Magistrate Judge Marcia M. Henry

***Judy Palmer v. Exactech, Inc., et al.*
No. 1:22-cv-06362-NGC-MMH**

**MOTION FOR LEAVE TO
WITHDRAW AS ATTORNEY FOR PLAINTIFF**

Pursuant to Local Civ. R. 1.4, Kenneth M. Daly (“Movant”), attorney for Plaintiff Judy Palmer, respectfully requests leave to withdraw as counsel of record. As good cause shown in support of this Motion, counsel states as follows:

1. Plaintiff is represented by the law firm Burg Simpson Eldredge Hersh & Jardine, P.C. (“Burg Simpson”). Burg Simpson attorneys Seth A. Katz, David C. Harman, Jessica L. Powell, and Kenneth M. Daly have appeared in the case on behalf of Plaintiff.
2. Movant is leaving the firm Burg Simpson, however representation of Plaintiff will remain with the firm Burg Simpson.
3. If Movant’s motion is granted, Plaintiff will continue to be represented by Burg Simpson attorneys Seth A. Katz, David C. Harman, and Jessica L. Powell.

4. As such, the withdrawal of Movant will not cause delay or prejudice to Plaintiff or any other party in this proceeding.
5. Plaintiff has been provided notice of Movant's intent to withdraw as counsel. All parties are hereby notified of Movant's Motion to Withdraw as Counsel by way of service and filing of this motion.
6. Movant is not asserting a retaining or charging lien.

WHEREFORE, Movant, Kenneth M. Daly, respectfully requests that the Court enter an Order permitting him to withdraw as counsel for Plaintiff Judy Palmer.

Respectfully submitted,

DATED: March 24, 2023

/s/ Kenneth M. Daly
Kenneth M. Daly
Kentucky Bar No. 98292
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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2023, I electronically filed the foregoing with the Clerk of this Court by using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

/s/ Kenneth M. Daly
Kenneth M. Daly